

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

MARY LAGAS,

Plaintiff,

vs.

VERISMA SYSTEMS, INC.,

Defendant.

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)  
) Cause No. \_\_\_\_\_  
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**NOTICE OF REMOVAL**

COMES NOW Defendant, Verisma Systems, Inc., by and through its undersigned counsel, Hinshaw & Culbertson LLP and Terese A. Drew, and submits to the United States District Court, Western District of Missouri, this Notice of Removal of a civil action pursuant to 28 U.S.C. §§ 1441 and 1332 of the above-captioned action. In support of Removal, Defendant states as follows:

1. On or about August 28, 2013 Plaintiff, Mary Lagas, filed a Class Action Petition for Damages ("Petition") against Defendant in the Circuit Court of Jackson County, Missouri. A true and accurate copy of the Petition in the civil action captioned *Mary Lagas v. Verisma Systems, Inc.* is attached hereto and incorporated herein by reference as Exhibit A.

2. Process was served upon Defendant Verisma Systems, Inc. on October 3, 2013. A copy of the summons is attached hereto as Exhibit B.

3. Copies of the above mentioned Petition and Summons constitute true and correct copies of all process, pleadings, and orders served upon Defendant.

4. This Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. § 1332 because the amount in controversy, exclusive interests and costs, exceeds Seventy-Five Thousand Dollars and as a class will exceed Five Million Dollars, and Plaintiff and Defendant

are citizens of different states. Defendant, on information and belief, state that based on the number of requests for records, the jurisdictional sum (total) will exceed Five Million Dollars (\$5,000,000.00).

5. Plaintiff, Mary Lagas, states she is a citizen and resident of the State of Missouri.

6. Defendant, Verisma Systems, Inc., is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of Colorado. Thus, Verisma Systems, Inc. is a citizen of Colorado and/or Delaware for the purpose of this removal.

7. The amount in controversy requirement is satisfied including because the number of potential claims as a class action will likely exceed the statutory sum of Five Million Dollars (\$5,000,000.00).

8. This notice is filed with the Court within thirty (30) days after receipt by the first Defendant to be served with the Summons and Petition filed by Plaintiff Lagas in Jackson County, Missouri, and therefore notice is timely pursuant to 28 § 1446(b).

9. By virtue of this Notice of Removal, Defendant does specifically preserve its right to assert any claims, defenses or other motions, including but not limited to, Rule 21 motions permitted by the Federal Rules of Civil Procedure.

10. Written notice of this filing and this notice will be given forthwith to all parties as required by law and in accordance with 28 U.S.C. § 1446(d), copies of this Notice of Removal will be served on the Plaintiff and filed with the Clerk of the Circuit Court in Jackson County, Missouri.

11. Included with this notice as required by the local rules, the Movant also files herewith a Civil Cover Sheet and the applicable filing fee.

WHEREFORE, Defendant, Verisma Systems, Inc., respectfully requests that this case proceed in this Court as an action properly removed to it.

**HINSHAW & CULBERTSON LLP**

/s/ Terese A. Drew

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VERISMA SYSTEMS, INC.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was placed in a sealed envelope, clearly addressed, with proper postage fully prepaid, and deposited in the United States Mail at St. Louis, Missouri, on this 4<sup>th</sup> day of November, 2013, addressed to the following attorney(s) of record:

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/s/ Terese A. Drew